

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

.....
RICHARD BLACK,

Plaintiff,

- v -

9:08-CV-0231
{DNH}

BRIAN FISCHER, Commissioner; LUCIEN J.
LECLAIRE, JR., Deputy Commissioner;
KENNETH S. PERLMAN, Deputy Commissioner;
OMEGA B. ALSTON, Assistant Director;
S.R. GERSTEIN, Rabbi; T. STANLEY, Chaplain,
Southport Correctional Facility; DAVID NAPOLI,
Superintendent, Southport Correctional Facility;
A. BARTLETT, Deputy Superintendent; J. COLVIN,
Deputy, Superintendent; NORMAN BEZIO, Director
of SHU; H. HETRICK, Captain, Southport
Correctional Facility; D. TADDER, Correction
Officer, Southport Correctional Facility; R.
DONAHUE, Lieutenant, Southport Correctional
Facility; WILLIAM M. GONZALEZ, Deputy Counsel;
and MARK LEONARD, Director of Ministerial,

Defendants.
.....

APPEARANCES:

OF COUNSEL:

RICHARD BLACK
Plaintiff Pro Se
1260 Burke Avenue, Apt. 1-D
Bronx, New York 10469

HON. ANDREW M. CUOMO
Office of Attorney General
State of New York
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The Capitol
Albany, New York 12224

DEAN J. HIGGINS, ESQ.
Assistant Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Richard Black, brought this civil rights action in February 2008, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated February 4, 2010, the Honorable David E. Peebles, United States Magistrate Judge, recommended that defendants' motion (Docket No. 54) be granted, and that all of plaintiff's claims in this action be dismissed. The plaintiff has filed objections to the Report-Recommendation.

Based upon a de novo review of the Report-Recommendation and the entire file, including those portions to which the plaintiff has objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

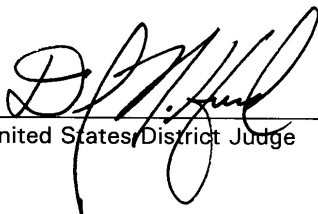
Accordingly, it is

ORDERED that

1. Defendants' motion (Docket No. 54) is GRANTED;
2. All of plaintiff's claims in this action are DISMISSED; and
3. The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: March 23, 2010
Utica, New York.


United States District Judge